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MAILED

MAY 21 2010

OFFICE OF PETITIONS

In re Application of :  
Uwe Krohn, et al. :  
Application No. 10/089,794 : DECISION ON PETITION  
Filed: April 4, 2002 :  
Attorney Docket No. 36-1557 :

This is a decision on the petition, filed January 13, 2010, which is being treated as a petition under 37 CFR 1.181, requesting withdrawal of the holding of abandonment in the above-identified application.

The petition is **GRANTED**.

This application was held abandoned for petitioner's alleged failure to take appropriate action in a timely manner after the decision of October 28, 2009 by the Board of Patent Appeals and Interferences. Therefore, the proceedings as to the rejected claims were terminated. See 37 CFR 1.197(b). As no claim was allowed, the application was deemed to have gone abandoned on December 29, 2009. See MPEP 1214.06. A Notice of Abandonment was mailed on January 8, 2010.

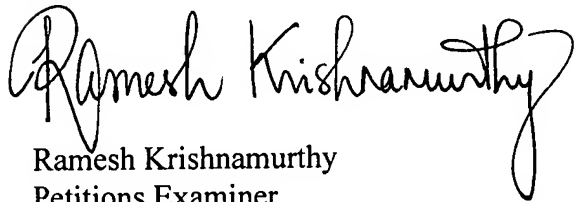
Petitioner contends that the Notice of Abandonment was issued in error as a timely reply was mailed on December 22, 2009, which included the following papers: an RCE and an amendment.

A review of the Office record for the instant application indicates that an RCE and an amendment were filed on December 22, 2009.

Accordingly, the holding of abandonment is hereby withdrawn and the application restored to pending status.

Telephone inquiries in reference to this decision should be directed to Terri Johnson at (571) 272-2991.

This application is being referred to Technology Center AU 2162 for appropriate action in the normal course of business on the reply received December 22, 2009.

A handwritten signature in black ink, reading "Ramesh Krishnamurthy". The signature is fluid and cursive, with the first letter 'R' being particularly large and stylized.

Ramesh Krishnamurthy  
Petitions Examiner  
Office of Petitions